

CLERK: Mr. President, 808 is offered by Senator Vickers. (Read title.) Referred to the Urban Affairs Committee for hearing. The bill was advanced to General File. There are Urban Affairs Committee amendments. Senator Withem also has an amendment to the committee amendments, Mr. President. (Senator Withem's amendment found on pages 1236-37 of the Legislative Journal.)

SENATOR CARSTEN: Senator Withem.

SENATOR WITHEM: Mr. President, members of the body, this is another one of those where to understand the amendment to the amendments you have to understand the amendments, to understand the amendments, you have to understand the bill. So I will try to be brief in all of that. Senator Vickers brought us a bill to deal with the problem that some smaller communities are having with their cemeteries and that is that they have sold lots or sold some lots that have burial room for a number of individuals and part of those lots aren't being used. So they would like to have...be able to have an ability to use those rather than having to go out and expand the limitations of the cemetery. Senator Vickers will explain the bill itself. Committee amendments, we did two things. First one was taking care of a bill drafting error. The bill said that if an individual had not paid their assessments for 20 years the lot could be reclaimed. Twenty years was an excessive time period. It was not the intent of the bill to say that. The committee amendment said for 3 years, if an individual owner did not pay the assessments for 3 years the lot could be reclaimed. The second part of the committee amendments is the interesting part because we are very dutiful in the Urban Affairs Committee and we are very concerned about not wanting to take someone's property without due process. So we decided that it is very important that before the city could reclaim the property that an individual had paid for that that individual record owner should be notified at his or her last known residence by certified mail. The postal department said that might be a little difficult to comply with literally because most of the time the record owner is the one that is dead in the cemetery 6 feet under. So it may be difficult to deliver that letter. Our intent was, and the amendment to the committee amendment puts that intent into the bill, that if there is an individual around who has ownership of this property maybe they ought to be